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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,834	12/27/2001	Chi Fai Ho	4749-109	9033
32294	7590	06/05/2006	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			WEBB, JAMISUE A	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			3629	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/032,834	Applicant(s) HO ET AL.	
	Examiner Jamisue A. Webb	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-17 and 19-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-17 and 19-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-21 and 45-49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. With respect to Claims 1, 17, and 45, and 45: the phrase “recipients are registered by creating a linked list tree” is indefinite. It is unclear how creating a linked list tree can register an actual recipient. The specification discloses that the linked lists can be used to register processes and events, but is silent to how they register the recipients with the system. The linked lists have to do with the event and the processes, and are associated with the recipient, but do not contain the recipient information, such as contact information. The recipient is registered separately. Therefore it is unclear how creating a linked list can register a recipient.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1, 3-17, 19-49 rejected under 35 U.S.C. 102(e) as being anticipated by Lawson et al. (6,185,613).

6. With respect to Claims 1, 15, 17, 31, 33, 35, 37, 39, 41-44, 45, and 48: Lawson discloses a method, system and computer program product for distributing events comprising the steps and means for:

- a. Registering one or more recipients (Column 4, lines 41-46);
- b. Receiving events (Column 5, lines 8-21)
- c. In response to receiving events, determining if recipients are registered to receive events (Column 4, lines 41-46) by parsing the event link lists (Column 5, lines 7-21)  
Lawson discloses the events are linked and given a hierarchical relationship between global events and local events, therefore the examiner considers this to be a linked list tree;
- d. In response to said determination, forwarding events to recipients registered to receive events, or dropping event if no recipients are registered for the event (Column 11, lines 9-25).
- e. Registering a recipient by Creating a linked list tree comprising an event link list logically linking event entries, and where each event entry is associated with one of the events and a process linked list, which is logically to the recipients and events (Column 9, lines 15-24, Column 11, line 49 to Column 12, line 2; Lawson discloses processes are associated or linked to events, wherein the notification of the event includes steps to be taken, which the examiner considers to be a process, as well as discloses processes are run due to the notification of the event);

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- f. Creating an event linked list by the recipient (Lawson discloses the recipient is allowed to register with a customer event types as well as discloses the events can be local or global, therefore the examiner considers this to be the recipient registering an event linked list, Column 4, line 50 to Column 5, line 7);
  - g. Updating event linked list for adding an event entry (Column 10, lines 7-23).
- 7. With respect to Claims 3, 9-14, 16, 19, 25-28, 30, 32, 36, 40, 46, and 49: Column 9, lines 15-24, Column 11, line 49 to Column 12, line 2.
  - 8. With respect to Claims 4, 20, 34, 38 and 47: Column 11, lines 49-67.
  - 9. With respect to Claims 5, 6, 21 and 22: Lawson discloses the event record comprising a type of event, where the type of event is used to match the events needing notification (Column 16, lines 20-31). The examiner considers the type of event to be a form of an event code.
  - 10. With respect to Claims 7 and 23: Lawson discloses the use of a filter, which recognizes, when an event has repeated and includes an identifier in the entry (See Figure 4). It is the examiner's position that the identifier constitutes an event count, due to the fact that it indicates if the event has happened more than once.
  - 11. With respect to Claims 8 and 24: Lawson discloses the use of an event queue, which can either be given a priority, or it can be a first in last out queue. It is the examiner's position that anytime there is a queue, there is inherently going to be a pointer to the next event, after one has been processed, (Column 10, line 57 to Column 11, line 8).

*Response to Arguments*

12. Applicant's arguments filed 3/17/06 have been fully considered but they are not persuasive.

13. With respect to applicant's arguments with regards to "recipients are registered by creating a linked list tree" not being indefinite: In the specification it discloses the use of creating the linked list tree, however discloses specifically that the registration of a recipient process is done by creating the linked list tree<sup>3</sup>, but never discloses the actual recipient being registered. The linked list tree comprises events it does not provide for contact information, or recipient information, therefore how can merely creating a linked list tree, provide person information and contact information? Therefore the rejection stands above.

14. With respect to Applicant's arguments that Lawson does not teach or suggest each element of the claims: particularly that one or more recipients are registered by creating a linked list tree including an event linked list, and a process linked list: The applicant has stated that there is no teaching or digesting in Lawson of the event linked list and the process linked list. Previously in the claims the process linked list was recited as an optional limitation. The applicant has not provided the limitation as a positive limitation, therefore the examiner has now addressed the limitation in the rejection. Lawson discloses that the events are categorized and linked by global events and local events. Therefore the examiner considers this to be a hierarchical relationship and therefore a linked list tree, since they are linked together. Therefore rejection stands as stated above.

*Conclusion*

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (571) 272-6811. The examiner can normally be reached on M-F (7:30 - 4:00).

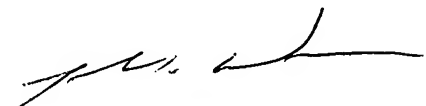
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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